

## STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Bayer CropScience Inc.

Application No./Patent No.: 10/849,509/  
U.S. Pat. 5,599,804

Filed/Issue Date: Reissue Appl. Filed May 19, 2004  
Patent Issued

Entitled:

"Fungicidal Compositions For The Enhancement of Turf Quality"

Bayer CropScience Inc.,

a Corporation

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)  
states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest. The extent (by percentage) of its ownership interest is \_\_\_\_\_%

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 7517, Frame 0631, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Laurence C. Mudge To: Rhone Poulenc Inc. The document was recorded in the United States Patent and Trademark Office at Reel 17517, Frame 0631, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_ The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_ The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☒ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached. [NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Bruce Mackintosh  
Signature

August 20, 2008  
Date

Bruce Mackintosh  
Printed or Typed Name

\_\_\_\_\_  
Telephone Number

Vice President, Secretary and General Counsel  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**SUPPLEMENTAL SHEET TO STATEMENT UNDER 37 CFR 3.73(b)**  
**LISTING ADDITIONAL ATTACHED DOCUMENTS IN CHAIN OF TITLE**

RE: Reissue of Letters Patent 5,599,804  
Applicant Laurence C. Mudge  
Serial Number 10/849,509, Filed on May 19, 2004  
Examiner Alton Nathaniel Pryor (Art Unit 1616)  
Entitled: FUNGICIDAL COMPOSITIONS FOR THE  
ENHANCEMENT OF TURN QUALITY

The documents identified below establish Bayer CropScience Inc. as owner of the entire right, title and interest in the above identified patent and this reissue application. True and accurate copies of the four documents identified below are attached hereto.

1. Assignment from the inventor, Laurence C. Mudge to Rhone-Poulenc Inc., which was recorded in the U.S. Patent and Trademark Office on June 8, 1995, at Reel 7517, Frame 0631.
2. The name of Rhone-Poulenc Inc. was changed to Rhone-Poulenc Ag Company Inc., on or about May 29, 1998.
3. The name Rhone-Poulenc Ag Company Inc. was changed to Aventis CropScience USA Inc., as of January 5, 2000.
4. The corporate name of AventisCrop Science USA Inc. was changed to its present name, Bayer CropScience, Inc., on or about September 20, 2002.

**DOCUMENT 1**

**RECORDATION OF ASSIGNMENT DOCUMENT FROM  
LAURENCE C. MUDGE TO RHONE-POULENC, INC.  
FOR APPLICATION NUMBER 08/415,934, AND USP  
5,599,804**



3575-2 K  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

OCTOBER 22, 1995

PTAS

KENNETH D. SIBLEY  
BELL, SELTZER, PARK & GIBSON, P.A.  
POST OFFICE DRAWER 34009  
CHARLOTTE, NC 28234



\*100029506A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 06/08/1995

REEL/FRAME: 7517/0631  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
MUDGE, LAURENCE C.

DOC DATE: 05/31/1995

ASSIGNEE:  
RHONE-POULENC, INC.  
2 T. W. ALEXANDER DRIVE  
RESEARCH TRIANGLE PARK  
NORTH CAROLINA  
27709

SERIAL NUMBER: 08415934  
PATENT NUMBER:

FILING DATE: 04/03/1995  
ISSUE DATE:

TONYA LEE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

RECEIVED

OCT 27 1995

BELL, SELTZER, PARK & GIBSON

BOOKED

BY 877

**DOCUMENT 2**

**CERTIFICATE AMENDING THE CHANGE OF NAME  
OF CORPORATION FROM RHONE-POULENC INC. TO  
RHONE-POULENC AG COMPANY INC.**

P 980727000371

CT-07

CT-07

CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF INCORPORATION

OF

RHONE-POULENC INC.

UNDER SECTION 805 OF THE BUSINESS CORPORATION LAW

2

Rhodia, Inc.  
CN 7500  
Crānburry, NJ 08512

STATE OF NEW YORK  
DEPARTMENT OF STATE

FILED JUL 27 1998

TAX S

BY: *SB*

BILLED

980727000372

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CT-07

CERTIFICATE OF AMENDMENT  
OF THE CERTIFICATE OF INCORPORATION  
OF  
RHONE-POULENC INC.

UNDER SECTION 805 OF THE BUSINESS CORPORATION LAW

WE, THE UNDERSIGNED, THIERRY AMAT and  
JOHN P. DONAHUE, being respectively the VICE PRESIDENT and  
SECRETARY of Rhone-Poulenc Inc. hereby certify:

1. The name of the corporation is Rhone-Poulenc Inc.
2. The original certificate of incorporation of said corporation was filed by the Department of State on the 26<sup>th</sup> day of March, 1948 under the name Rhodia Inc., which name was changed on October 18, 1978.
3. The certificate of incorporation is amended to change the name of the corporation and the address of the principal place of business of the corporation:  
(a) To effect the foregoing, Article I is amended to read as follows: The name of the corporation is Rhone-Poulenc Ag Company Inc.
4. The amendments were authorized in the following manner: by a quorum of the Board of Directors at a meeting of the Board of Directors held on May 29, 1998, by unanimous written consent of the Board of Directors and by consent of the sole shareholder of the corporation.

IN WITNESS WHEREOF, I have signed this certificate on the 1<sup>st</sup> day of July, 1998 and affirm that the statements contained therein as true under penalties of perjury.

Thierry Amat  
Name: THIERRY AMAT  
Title: VICE PRESIDENT

John P. Donahue  
Name: JOHN P. DONAHUE  
Title: SECRETARY

State of New York } ss:  
Department of State }

*I hereby certify that the annexed copy has been compared with the original document in the custody of the Secretary of State and that the same is a true copy of said original.*

*Witness my hand and seal of the Department of State on*

**MAY 2 2000**



*Special Deputy Secretary of State*



**DOCUMENT 3**

**CERTIFICATE AMENDING THE CHANGE OF NAME  
OF CORPORATION  
FROM RHONE-POULENC AG COMPANY INC. TO  
AVENTIS CROPSCIENCE USA INC.**

CT-07

F000105000845

CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF INCORPORATION  
OF  
RHONE-POULENC AG COMPANY INC.

Under Section 805 of the Business Corporation Law

I, the undersigned, being the Secretary of  
Rhone-Poulenc Ag Company Inc. do hereby certify:

1. The name of the corporation is Rhone-Poulenc Ag Company Inc.
2. The original certificate of incorporation of the corporation was filed by the Department of State on March 26, 1948 under the name Rhodia Inc.
3. The certificate of incorporation is hereby amended to change the corporation's name.

Article I of the certificate of incorporation relating to the corporate name is amended to read as follows:

1. The name of the Corporation is Aventis CropScience USA Inc.

4. This amendment to the certificate of incorporation was authorized by the unanimous written consent of the Board of Directors of the corporation and by written consent of the sole shareholder of the corporation.

IN WITNESS WHEREOF, I have executed this Certificate of Amendment this 3rd day of January, 2000, and hereby affirm the truth of the statements contained herein under the penalties of perjury.

By /s/ Randall A. Jones  
Name: Randall A. Jones  
Title: Secretary

JAN-05-2000 16:27

CT CORPORATION

1 518 463 6533 P.02

F000105000845

CT-07

CERTIFICATE OF AMENDMENT  
OF  
RHONE-POULENC AG COMPANY INC.  
UNDER SECTION 805 OF THE  
BUSINESS CORPORATION LAW

1cc  
STATE OF NEW YORK  
DEPARTMENT OF STATE

JAN 05 2000

FILED

TAX \$

BY:

MUR  
ny

Skadden, Arps, Slate, Meagher & Flom LLP  
CORPORATIONS DEPARTMENT  
ONE RODNEY SQUARE  
WILMINGTON, DE 19801-0000

DRAWDOWN

2

000105000881  
TOTAL P.02

State of New York )  
 ) ss:  
Department of State )

*I hereby certify that the annexed copy has been compared with the original document filed by the Department of State and that the same is a true copy of said original.*

*Witness my hand and seal of the Department of State on*

**OCTOBER 31, 2002**



*Secretary of State*

**DOCUMENT 4**

**CERTIFICATE AMENDING THE CHANGE OF NAME  
OF CORPORATION  
FROM AVENTIS CROPSCIENCE USA INC. TO  
BAYER CROPSCIENCE INC.**

F020920000 690

CSC 45

CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF INCORPORATION  
OF  
AVENTIS CROPSCIENCE USA INC.


Under Section 805 of the Business Corporation Law

1. The name of the Corporation is:  
AVENTIS CROPSCIENCE USA INC.
2. The Certificate of Incorporation was filed by  
the Department of State on the 26th day of March  
1948 under the original name of RHODIA INC.
3. The Certificate of Incorporation is hereby amended  
to change the corporation's name.

Paragraph One of the Certificate of Incorporation  
is amended to read as follows:

- " 1. The name of the corporation is:  
BAYER CROPSCIENCE INC. "

4. This amendment to the Certificate of Incorporation was authorized by a vote of the Board of Directors followed by a vote of the holders of a majority of all outstanding shares entitled to vote thereon at a meeting duly held of the shareholders of the corporation.

  
Mahalingam Ramesh, President

F020920000690

CSC 45

CERTIFICATE OF AMENDMENT

OF

AVENTIS CROPSCIENCE USA INC.

Under Section 805 of the Business Corporation Law

Filer:  
Aventis Cropscience USA LP  
2 Tw Alexander Drive  
Rtp, NC 27709  
747002/sal

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FILED

1CC  
STATE OF NEW YORK  
DEPARTMENT OF STATE

FILED SEP 20 2002

TAXS

BY: ESM

New York

2002 SEP 19 AM 11:04

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State of New York } ss:  
Department of State }

I hereby certify that the annexed copy has been compared with the original document filed by the Department of State and that the same is a true copy of said original.

Witness my hand and seal of the Department of State on

OCTOBER 31, 2002



Secretary of State